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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,132	06/24/2003	David Hwang	10030525-1	1611

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AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
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EXAMINER

PATEL, PARESH H

ART UNIT PAPER NUMBER

2829

DATE MAILED: 01/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/602,132	Applicant(s) HWANG, DAVID	
	Examiner Paresh Patel	Art Unit 2829	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 7-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 11-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) ✓ | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Group I (claims 1-6 and 11-17) in the reply filed on 10/22/2004 is acknowledged.

Claims 7-10 are withdrawn from consideration. Claims 11-17 are new, which depends from claims of Group I.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the actuator of claim 4 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering

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of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 and 13-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Pietzschmann (US 2002/0024354 A1 Feb. 28, 2002 Now patent US 6784678 ("the '678 patent")).

Regarding claim 1, the '678 patent in fig. 1-10 (particularly fig. 6) discloses a probe block assembly for probing a device under test (DUT), comprising:

a plurality of independent probe blocks [5] each having a set of probes [9] and/or receptacles that mate [to 2] to a respective mating set of DUT receptacles and/or probes on said DUT;

a probe block frame [3] which floatably holds [using 4] said plurality of independent probe blocks to allow each said independent probe block to independently

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float [see fig. 6] within said probe block frame relative to a predetermined position [see 4A-4C] within said frame.

Regarding claim 2, the '678 patent discloses a probe block assembly in accordance with claim 1, wherein: said plurality of Independent probe blocks are positioned such that each of said respective set of probes and/or receptacles of said respective plurality of independent probe blocks are aligned parallel [fig. 6] to a like axis of probing [vertical axis to 5 and 3].

Regarding claim 3, the '678 patent discloses a probe block assembly in accordance with claim 2, wherein said plurality of independent probe blocks are positioned side-by-side [see 5 in fig. 6] within said frame such that each of said respective set of probes and/or receptacles of said respective plurality of independent probe blocks are aligned parallel [all 9] to one another and to said axis of probing.

Regarding claims 4 and 13 the '678 patent discloses a probe block assembly comprising: **an actuator [4] attached to said probe block frame to controllably move said frame** to insert and/or remove said sets of probes and/or receptacles of each of said plurality of independent probe blocks to and/or **from said respective mating set of DUT receptacles and/or probes on said DUT**.

Regarding claims 5, 14 and 16, the '678 patent discloses a probe block assembly, wherein at least one of said plurality of independent probe blocks comprises self-centering capability [using self actuator 4, see fig. 6 and spring with holder 18, see fig. 9] that allows said independent probe block to align to said respective mating set of DUT receptacles and/or probes on said DUT.

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Regarding claims 6, 15 and 17, the '678 patent discloses a probe block assembly, wherein said self-centering capability comprises at least one pair of coaxially aligned springs [lines 40-41 of column 10] positioned perpendicular [see support for 5 at holder 18] to said axis of probing on opposite sides [both ends of 5 at 18] of said Independent probe block.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the '678 patent as applied to claims 5 and 1 above, and further in view of Barabi et al. (US 6208155, "the '155 patent").

Regarding claim 11, the '678 patent discloses all the elements except for one of said plurality of said independent probe blocks comprises at least one spring receptacle for holding a respective coil spring. However, the '678 patent is silent about receptacle, but discloses a spring for holding independent probe block (see fig. 6). The '155 patent discloses independent probe block [25] comprises at least one spring receptacle [37] for holding a respective coil spring [35]. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use receptacle as taught

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by the '155 patent in the '678 patent, in order to obtain floating independent probe block which floats relatively to the probe tips, producing an efficient electrical contact.

Regarding claim 12, the '155 patent discloses at least one coil spring [35].

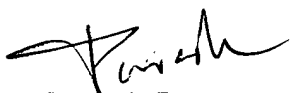
Conclusion

Examiner had consider US patent to Hwang (US 6798227) for double patenting.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paresh Patel whose telephone number is 572-272-1968. The examiner can normally be reached on 8:00 to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 571-272-2034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paresh Patel
January 04, 2005